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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/810,945	03/15/2001	Michael Goeller	VISAP062/P11400	7240
22434	7590	03/15/2006		
BEYER WEAVER & THOMAS LLP P.O. BOX 70250 OAKLAND, CA 94612-0250			EXAMINER LIVERSEDGE, JENNIFER L	
			ART UNIT	PAPER NUMBER
			3628	

DATE MAILED: 03/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/810,945	Applicant(s) GOELLER ET AL.	
	Examiner Jennifer Liversedge	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Provisional application No. 60/270,883 has been received by the Office and is filed with a receipt date of 2/22/2001.

This Office Action is responsive to Applicant's amendment and request for reconsideration of application 09/810,945 (March 15, 2001) filed on January 26, 2006.

The amendment contains original claims: 2-8, 10-16, 18, 20, 22-25

The amendment contains amended claims: 9, 19, 21

The amendment contains previously presented claims: 1, 17, 26-33

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 3, 5, 20, 21, 23, 31, 32 and 33 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,647,376 B1 to Farrar et al (further referred to as Farrar).

Regarding claim 1, Farrar discloses a point-of-sale (POS) check service system (column 1, lines 16) comprising a device means for receiving checking account information from a paper check of a customer (column 1, lines 48 – 50), and for receiving an amount concerning a sale to the customer (column 4, lines 7 – 11), the checking account information and amount being collectively transaction information (column 4, lines 9 – 15), and the paper check not being used as a negotiable instrument and being returned to the customer (column 5, lines 11 – 13 and lines 49 – 52); a host computer arranged to receive the transaction information from the device means and to forward it into the POS check service system (column 6, lines 49 – 54; Figure 1 item 108); a switch computer arranged to receive the transaction information from the host computer and to further route the transaction information (column 6, lines 52 – 59; Figure 1 item 110); a drawee bank which receives the transaction information from the switch computer (column 6, lines 64 – 67; Figure 1 item 112); a drawee computer of the drawee bank that receives transaction information and is arranged to perform conversion, verification or guarantee based upon transaction information (column 1, lines 44 – 67 and column 2, lines 1 – 5), the drawee computer further arranged to return a response message to the host computer indicating the result of the conversion, verification or guarantee (column 5, lines 49 – 52 and column 7, lines 12 – 15).

Regarding claim 2, Farrar discloses a telecommunications network used for communications between the host computer, the switch computer, and the drawee

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computer (column 6, lines 49 – 67) that provides online, real-time communications between computers (column 1, lines 51 – 54; column 9, lines 27 – 31 and lines 65 – 67).

Regarding claim 3, Farrar discloses a device means which includes a magnetic ink character recognition (MICR) device through which the paper check is swiped (column 2, lines 10 – 11; column 6, lines 44 – 47) and a merchant point-of-sale terminal into which the amount may be entered (column 4, lines 7 – 12).

Regarding claim 5, Farrar discloses a drawee computer arranged to receive checking account information in the form of raw MICR data (column 2, lines 10 – 11) and to parse checking account information to obtain a transit routing number and an account number of the customer, whereby parsing occurs reliably at a drawee bank and not at device means (column 1, lines 48 – 51 and column 2, lines 19 – 24).

Regarding claim 20, Farrar discloses processing a paper check transaction occurring at a point of sale, a monetary amount originating at the point of sale and paper check providing checking account information comprising receiving a service request message from point of sale (column 4, lines 7 – 15) and a paper check providing checking account information (column 1, lines 48 – 51) comprising receiving a service request message from the point of sale (column 2, lines 17 – 20), service request message including checking account information, monetary amount (column 1, lines 48 – 51 and column 4, lines 7 – 12) and a request for a type of check service

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(column 2, lines 17 – 21); determining whether a portion of the checking account information matches with one of a plurality of banks (column 4, lines 15 – 18); determining whether the request for a type of check service matches with a service provided by one of the banks (column 4, lines 24 – 27, lines 54 – 66; column 6, lines 64 – 67), determining where to route service request message (column 4, lines 24 – 27 and column 21, lines 11 – 13); sending service request message to an authorizing institution that is equipped to handle the request for a type of check service (column 4, lines 54 – 55; column 6, lines 64 – 67; column 21, lines 11 – 13), receiving a response message to the service request message from the authorizing institution (column 7, lines 12 – 15; column 9, lines 23 – 27); and sending the response message to the point of sale indicating the result of the request for a type of check service (column 4, lines 54 – 55; column 5, lines 11 – 12 and 48 – 51; column 7, lines 12 – 15; column 9, lines 23 – 27), whereby said paper check is not used as a negotiable instrument and is returned to the customer (column 5, lines 12 – 13 and lines 50 – 52).

Regarding claim 21, Farrar discloses the steps of receiving and sending over a telecommunications network (column 6, lines 49 – 67) that provides online, real-time communications while said customer waits at said point of sale for said response message (column 1, lines 51 – 54; column 9, lines 27 – 31 and lines 65 – 67).

Regarding claim 23, Farrar discloses a method wherein checking account information is received in raw MICR data format (column 2, lines 10 – 11; column 6,

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lines 43 – 48) and is sent to the authorizing institution in order to parse said checking account information to obtain a transit routing number and an account number of the customer (column 6, lines 49 – 67; column 9, lines 18 – 20 and column 21, lines 10 – 14) whereby parsing occurs reliably at an authorizing institution and not at the point of sale (column 9, lines 18 – 27).

Regarding claim 31, Farrar discloses a point-of-sale check service system (column 1, lines 16) comprising a device means for receiving checking account information from a paper check of a customer (column 1, lines 48 – 50), and for receiving an amount concerning a sale to the customer (column 4, lines 7 – 11), the checking account information and amount being collectively transaction information (column 4, lines 9 – 15), and the paper check not being used as a negotiable instrument and being returned to the customer (column 5, lines 11 – 13 and lines 49 – 52); a host computer arranged to receive the transaction information from the device means and to forward it into the POS check service system (column 6, lines 49 – 54; Figure 1 item 108); a switch computer arranged to receive the transaction information from the host computer and to further route the transaction information (column 6, lines 52 – 59; Figure 1 item 110); a drawee bank which receives the transaction information from the switch computer (column 6, lines 64 – 67; Figure 1 item 112); a drawee computer of the drawee bank that receives transaction information and is capable of performing conversion with verification based upon transaction information (column 1, lines 44 – 67 and column 2, lines 1 – 5), the drawee computer further arranged to return a response

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message to the host computer indicating the result of the conversion with verification (column 5, lines 49 – 52 and column 7, lines 12 – 15).

Regarding claim 32, Farrar discloses a telecommunications network used for communications between the host computer, the switch computer, and the drawee computer (column 6, lines 49 – 67) that provides online, real-time communications between computers (column 1, lines 51 – 54; column 9, lines 27 – 31 and lines 65 – 67).

Regarding claim 33, Farrar discloses a customer bank account from which the paper check of the customer is drawn upon, wherein the drawee computer can access the customer bank account in order to perform conversion with verification (column 5, lines 1 – 10 and column 9, lines 18 – 32).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.

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2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 4, 6, 7, 17, 18, 19, 22, 24, 26, 27, 28, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farrar, and further in view of ECHO Announces the Completion of the Acquisition of Magic Software Development Inc. by Business Wire, New York, April 29, 1999 (further referred to as Business Wire).

Regarding claims 4 and 22, Farrar does not teach conversion only. However, Business Wire discloses a drawee computer arranged to perform conversion only, conversion with verification or conversion with guarantee based upon transaction information (page 2, lines 10 - 13).

It would be obvious to one of ordinary skill in the art that if a service provider were going to provide conversion with verification or conversion with guarantee based upon transaction information as disclosed by Farrar, that the company would inherently be performing conversion as the first step in that process as proposed by Business Wire and could very well provide conversion only services as well. The motivation would be to provide services to merchants in which the steps involved were already being taken as part of more complex operations.

Regarding claim 6, Farrar discloses a service request message delivered to a switch computer that includes transaction information (column 2, lines 18 – 23). Farrar

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does not disclose indicating conversion only, conversion with verification or conversion with guarantee based upon transaction information as Farrar does not disclose conversion only, teaching conversion with verification or conversion with guarantee. However, Business Wire discloses conversion only, conversion with verification or conversion with guarantee based upon transaction information (page 2, lines 10 - 13).

It would be obvious to one of ordinary skill in the art to combine the transaction information for conversion only as taught by Business Wire with the transaction information for conversion with verification or conversion with guarantee as taught by Farrar. The motivation would be to communicate transaction information for steps involved with a more simple operation that were already being taken as part of more complex operations.

Regarding claims 7 and 24, Farrar does not teach a settlement code. However, Business Wire teaches an electronic check system at the point of sale that includes settlement and transaction reporting. It would be obvious to one of ordinary skill in the art to use the electronic transmittal of the settlement information as disclosed by Business Wire with the electronic check processing transaction information as disclosed by Farrar. The motivation would be to use available fields of information to disclose in one transaction the means of settlement in addition to the other relevant transaction information being supplied between merchant and bank.

Regarding claim 17, Farrar discloses a method of performing a transaction at a point of sale comprising a step of performing the function of receiving checking account information from a paper check of a customer (column 1, lines 48 – 50); entering an amount of the transaction into a terminal (column 4, lines 7 – 11); assembling a service request message that includes checking account information and amount (column 4, lines 9 – 15); sending the service request message to a switch computer arranged to receive and to further route the service request message (column 6, lines 49 - 54; Figure 1 item 108; column 6, lines 52 – 59; Figure 1 item 110); returning paper check to customer, paper check not being used as a negotiable instrument (column 5, lines 11 – 13 and lines 49 – 52).

Farrar does not disclose assembling, sending and receiving a message which requests conversion only, conversion with verification, or conversion with guarantee. However, given the combination of Farrar and Business Wire as described previously in claim 6, it obvious that the service request message could include a message of conversion only as disclosed by Business Wire as part of the check transaction system as disclosed by Farrar.

Regarding claim 18, Farrar discloses a device means which includes a magnetic ink character recognition (MICR) device through which the paper check is swiped (column 2, lines 10 – 11; column 6, lines 44 – 47).

Regarding claim 19, Farrar discloses sending and receiving over a telecommunications network (column 6, lines 49 – 67) that provides online, real-time communications while said customer waits at said point of sale for said response message (column 1, lines 51 – 54; column 9, lines 27 – 31 and lines 65 – 67).

Regarding claim 26, Farrar discloses a customer bank account from which the paper check of the customer is drawn upon, wherein the drawee computer can access the customer bank account in order to perform verification and guarantee (column 1, lines 45 – 47 and column 5, lines 1 – 10). Farrar does not disclose performing conversion only. However, Business Wire discloses performing conversion only.

It would be obvious to one of ordinary skill in the art to combine the transaction information for conversion only as taught by Business Wire with the transaction information for conversion with verification or conversion with guarantee as taught by Farrar. The motivation would be to communicate transaction information for steps involved with a more simple operation that were already being taken as part of more complex operations.

Regarding claim 27, Farrar discloses a method wherein a switch computer routes a service request message to a drawee bank (column 6, lines 55 – 67), the drawee bank maintaining a customer bank account from which the paper check of the customer is drawn upon (column 5, lines 1 – 10).

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Regarding claim 28, Farrar discloses accessing the customer bank account, by the drawee bank, in order to perform conversion operations including conversion with verification and conversion with guarantee (column 1, lines 45 – 47 and column 5, lines 1 – 10). Farrar does not disclose performing conversion only. However, Business Wire discloses performing conversion only.

It would be obvious to one of ordinary skill in the art to combine the transaction information for conversion only as taught by Business Wire with the transaction information for conversion with verification or conversion with guarantee as taught by Farrar. The motivation would be to communicate transaction information for steps involved with a more simple operation that were already being taken as part of more complex operations.

Regarding claim 29, Farrar discloses wherein drawee bank further accesses the customer bank account in order to verify that the bank account is valid (column 9, lines 20 – 23).

Regarding claim 30, Farrar discloses wherein drawee bank further accesses the customer bank account in order to verify that the customer bank account contains an amount of money that is equal to or greater than the amount of the transaction entered into the terminal (column 9, lines 44 – 47).

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Farrar and Business Wire as applied to claim 6 above, and further in view of U.S. Patent Number 5,703,344 to Bezy et al. (further referred to as Bezy). Neither Farrar nor Business Wire disclose a service request message including a unique transaction identifier that ties together related transactions in a transaction set. However, Bezy discloses a service request message including a unique transaction identifier (record) that ties together related transactions in a transaction set (column 5, lines 48 – 52).

It would be obvious to one of ordinary skill in the art to use the transaction identifier (record) as a means to identify a transaction and tie together related transaction as disclosed by Bezy with the electronic check processing transaction information as disclosed by Farrar. The motivation would be to ensure related transaction were linked for efficiency in processing and handling.

Claims 9, 10, 11, 13 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farrar and further in view of Bezy.

Regarding claim 9, Farrar does not disclose a point-of-transaction check service. However, Bezy discloses a point of transaction check service (column 1, lines 5 – 8). It would be obvious to one of ordinary skill in the art to combine the point-of-transaction check service as disclosed by Bezy with the point-of-sale check service as disclosed by Farrar because a point-of-sale is a detailed example of a point-of-transaction. A sale is

a transaction and therefore the motivation would be in include various forms of transactions, such as a sales point.

Given the combination of Farrar and Bezy, the same reasoning applies to the remaining section and dependent claims of claim 9 where a sale is analogous to a transaction and where Farrar discloses a device means for receiving checking account information from a paper check of a customer (column 1, lines 48 – 50), and for receiving an amount representing a monetary transaction which is to be deposited into a depositing account (column 1, lines 15 – 21), the checking account information, amount, and depositing account being collectively transaction information (column 3, line 63 to column 4, line 4 and column 4, lines 9 – 15), and the paper check not being used as a negotiable instrument and being returned to the customer (column 5, lines 11 – 13 and lines 49 – 52); a host computer arranged to receive the transaction information from the device means and to forward it into the point-of-transaction check service system (column 6, lines 49 - 54; Figure 1 item 108); a switch computer arranged to receive the transaction information from the host computer and to further route the transaction information (column 6, lines 52 – 59; Figure 1 item 110); a drawee bank which receives the transaction information from the switch computer (column 6, lines 64 – 67; Figure 1 item 112) the drawee bank maintaining a customer bank account identified by said checking account information from which the paper check of the individual is drawn upon (column 5, lines 1 – 10 and column 9, lines 18 – 22); a drawee computer of the drawee bank that receives transaction information and is arranged to perform conversion, verification or guarantee based upon transaction information (column 1,

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lines 44 – 67 and column 2, lines 1 – 5), the drawee computer further arranged to return a response message to the host computer indicating the result of the conversion, verification or guarantee (column 5, lines 49 – 52 and column 7, lines 12 – 15).

Regarding claim 10, Farrar discloses a financial institution holding the deposit account, to which an amount is deposited depending upon the result of the conversion, verification, or guarantee (column 3, line 63 to column 4, line 4).

Regarding claim 11, Farrar discloses a telecommunications network used for communications between the host computer, the switch computer, and the drawee computer (column 6, lines 49 – 67) that provides online, real-time communications between computers (column 1, lines 51 – 54; column 9, lines 27 – 31 and lines 65 – 67).

Regarding claim 13, Farrar discloses a drawee computer arranged to receive checking account information unparsed (column 2, lines 10 – 11) and to parse checking account information to obtain a transit routing number and an account number of the customer, whereby parsing occurs reliably at a drawee bank and not at device means (column 1, lines 48 – 51 and column 2, lines 19 – 24).

Regarding claim 25, Farrar does not disclose a service request message including a unique transaction identifier that ties together related transactions in a transaction set. However, Bezy discloses a service request message including a

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unique transaction identifier (record) that ties together related transactions in a transaction set (column 5, lines 48 – 52).

It would be obvious to one of ordinary skill in the art to use the transaction identifier (record) as a means to identify a transaction and tie together related transaction as disclosed by Bezy with the electronic check processing transaction information as disclosed by Farrar. The motivation would be to ensure related transaction were linked for efficiency in processing and handling.

Claims 12, 14, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farrar and Bezy, and further in view of Business Wire.

Regarding claim 12, neither Farrar nor Bezy teach conversion only. However, Business Wire discloses a drawee computer arranged to perform conversion only, conversion with verification or conversion with guarantee based upon transaction information (page 2, lines 10 - 13).

It would be obvious to one of ordinary skill in the art that if a service provider were going to provide conversion with verification or conversion with guarantee based upon transaction information as disclosed by Farrar and Bezy, that the company would inherently be performing conversion as the first step in that process as proposed by Business Wire and could very well provide conversion only services as well. The motivation would be to provide services to merchants in which the steps involved were already being taken as part of more complex operations.

Regarding claim 14, Farrar discloses a service request message delivered to a switch computer that includes transaction information (column 2, lines 18 – 23). Neither Farrar nor Bezy disclose indicating conversion only, conversion with verification or conversion with guarantee based upon transaction information as neither Farrar nor Bezy disclose conversion only, both teaching conversion with verification or conversion with guarantee. However, Business Wire discloses conversion only, conversion with verification or conversion with guarantee based upon transaction information (page 2, lines 10 - 13).

It would be obvious to one of ordinary skill in the art to combine the transaction information for conversion only as taught by Business Wire with the transaction information for conversion with verification or conversion with guarantee as taught by Farrar. The motivation would be to communicate transaction information for steps involved with a more simple operation that were already being taken as part of more complex operations.

Regarding claim 15, neither Farrar nor Bezy teach a settlement code. However, Business Wire teaches an electronic check system that includes settlement and transaction reporting. It would be obvious to one of ordinary skill in the art to use the electronic transmittal of the settlement information as disclosed by Business Wire with the electronic check processing transaction information as disclosed by Farrar and Bezy. The motivation would be to use available fields of information to disclose in one

transaction the means of settlement in addition to the other relevant transaction information being supplied between merchant and bank.

Regarding claim 16, Bezy discloses a service request message including a unique transaction identifier (record) that ties together related transactions in a transaction set (column 5, lines 48 – 52).

Response to Arguments

Applicant's arguments filed regarding 35 USC § 102 and 35 USC § 103 have been fully considered but they are not persuasive.

Regarding the Applicant's remarks regarding the applicable date of U.S. Patent No. 6,647,376 B1 to Farrar et al. and the provisional application 60/103,610 claimed therefrom, the provisional application is applicable for use in this case as the provisional case contains the material which was cited as prior art in the Office Action. Therefore, the date of October 9, 1998 is applicable and the material contained therein is prior art to the current application.

The Applicant argues that the Farrar includes only a minor reference to conducting check conversion at the point-of-sale and that detail regarding how this conversation would occur is not disclosed. However, Figures 1-12 contain information showing a merchant and a POS terminal, as well as the process through which the transaction undergoes. Further, the Field of Invention cites the invention as relating to

Point-Of-Sale check authorization and acceptance determination (column 1, lines 14-21).

Regarding the Applicant's comments on real-time conversion, Farrar in provisional application 60/103,610 discloses the use of MICR data to transfer check information in order to obtain information regarding whether to accept the check while the customer waits (page 13, line 29-page 15, line 10). An electronic check presentment is generated at the point-of-sale (page 19, lines 24-29) and truncation is disclosed (page 21, lines 25-29) in which the check is returned to the customer.

The Bezy reference is used in combination with Farrar. As Farrar discloses real-time check conversion, the Bezy patent, as a combinatory, analogous art reference for a point-of-sale check confirmation and guarantee system using MICR data, is used in combination with Farrar and is not independently required nor intended to meet each limitation of the independent claims to which it is applied.

The Business Wire is also used in combination with Farrar, as analogous art. The electronic conversion and verification occurring in real time while the customer waits is disclosed by Farrar. Business Wire discloses check conversion, check verification, and check guarantee. Business Wire is analogous art teaching each of the three specified transaction occurring regarding check processing. Further, it is noted that Business Wire does teach processing payment forms conducted in real time over the Internet (page 2, lines 36-38).

The combination of Farrar, Bezy, and Business Wire teach the conversion of the paper check at the point-of-sale and the capability to perform real-time conversion,

conversion with verification and conversion with guarantee. In addressing this summary statement of the application, Business Wire addresses each element on page 2, lines 11-13, lines 36-38 and lines 47-50. The independent and dependent claims are disclosed by the combination of Farrar, Bezy, and Business Wire.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Jennifer Liversedge whose telephone number is 571-272-3167. The examiner can normally be reached on Monday – Friday, 8:30 – 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sam Sough can be reached at 571-272-6799. The fax number for the organization where the application or proceeding is assigned is 571-273-8300.

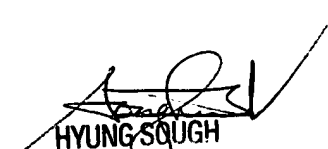
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer Liversedge

Examiner

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HYUNG SOUGH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600